

SENATE BILL No. 163

DIGEST OF INTRODUCED BILL

Citations Affected: IC 3-5-2; IC 3-14-3-4.5; IC 35-31.5-2; IC 35-47; IC 35-52-3-47.5.

Synopsis: Firearms. Prohibits a person from carrying a firearm in or near: (1) a chute; (2) polls; (3) certain areas where voters congregate or are likely to congregate; or (4) any room where ballots are being counted. Provides that the offense is a Class C misdemeanor, enhanced to a: (1) Class A misdemeanor if the person has a prior unrelated conviction for the offense; or (2) Level 6 felony if the firearm is pointed at another person. Specifies a defense and certain notice requirements. Prohibits other defenses. Changes the minimum age required to carry a handgun to 21 years of age. Makes it a Level 5 felony to possess a privately made firearm. Makes it a Level 5 felony to alter, obliterate, or remove certain marks of firearm identification or to possess a firearm on which those marks of identification have been altered, obliterated, or removed. Defines terms. Makes conforming amendments.

Effective: July 1, 2024.

Randolph Lonnie M

January 8, 2024, read first time and referred to Committee on Corrections and Criminal Law.



Second Regular Session of the 123rd General Assembly (2024)

PRINTING CODE. Amendments: Whenever an existing statute (or a section of the Indiana Constitution) is being amended, the text of the existing provision will appear in this style type, additions will appear in **this style type**, and deletions will appear in ~~this style type~~.

Additions: Whenever a new statutory provision is being enacted (or a new constitutional provision adopted), the text of the new provision will appear in **this style type**. Also, the word **NEW** will appear in that style type in the introductory clause of each SECTION that adds a new provision to the Indiana Code or the Indiana Constitution.

Conflict reconciliation: Text in a statute in *this style type* or ~~this style type~~ reconciles conflicts between statutes enacted by the 2023 Regular Session of the General Assembly.

SENATE BILL No. 163

A BILL FOR AN ACT to amend the Indiana Code concerning criminal law and procedure.

Be it enacted by the General Assembly of the State of Indiana:

- 1 SECTION 1. IC 3-5-2-24.7 IS ADDED TO THE INDIANA CODE
- 2 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 3 1, 2024]: **Sec. 24.7. "Firearm", for purposes of IC 3-14-3-4.5, has**
- 4 **the meaning set forth in IC 35-47-1-5.**
- 5 SECTION 2. IC 3-5-2-38.5 IS ADDED TO THE INDIANA CODE
- 6 AS A **NEW** SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 7 1, 2024]: **Sec. 38.5. (a) "Polling place" refers to the entire building**
- 8 **or structure where any of the following occur:**
- 9 (1) **Voters vote in a precinct on election day.**
- 10 (2) **Voters vote at a vote center on election day.**
- 11 (3) **Voters are entitled to cast absentee ballots, including:**
- 12 (A) **an office as described in IC 3-11-10-26; and**
- 13 (B) **a vote center established under IC 3-11-18.1.**
- 14 (b) **The term does not include a building or structure:**
- 15 (1) **that is the:**
- 16 (A) **voter's private residence; or**
- 17 (B) **building or structure in which the voter's private**



- 1 **residence is located;**
 2 **if the voter marks the voter's absentee ballot in or on the**
 3 **premises of the voter's private residence; or**
 4 **(2) where a voter chooses to mark the voter's absentee ballot**
 5 **if the building or structure where the voter's absentee ballot**
 6 **is marked is not designated under this title as a location for a**
 7 **voter to vote on election day or to cast an absentee ballot.**
- 8 SECTION 3. IC 3-5-2-39, AS AMENDED BY P.L.169-2015,
 9 SECTION 2, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 10 JULY 1, 2024]: Sec. 39. "Polls" means the room in a ~~structure~~ **polling**
 11 **place** where the voters of a ~~precinct~~ vote by casting ballots on election
 12 day.
- 13 SECTION 4. IC 3-14-3-4.5 IS ADDED TO THE INDIANA CODE
 14 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
 15 1, 2024]: **Sec. 4.5. (a) This section:**
- 16 **(1) applies when an election officer is present in or on the**
 17 **premises of a polling place and is acting within the scope of**
 18 **the election officer's official duties; and**
 19 **(2) does not apply to a:**
- 20 **(A) federal;**
 21 **(B) state; or**
 22 **(C) local;**
- 23 **law enforcement officer.**
- 24 **(b) Subject to subsection (c), and except as provided in**
 25 **subsection (f), a person may not knowingly or intentionally carry**
 26 **a firearm within fifty (50) feet of the following:**
- 27 **(1) The chute.**
 28 **(2) The polls.**
 29 **(3) Any area where voters congregate or are likely to**
 30 **congregate for any purpose related to voting or the casting of**
 31 **ballots.**
 32 **(4) Any room where ballots are being counted.**
- 33 **(c) Except as provided in subsection (f), a person may not**
 34 **knowingly or intentionally carry a firearm anywhere in or on the**
 35 **premises of a polling place if less than fifty (50) feet exists between**
 36 **a boundary or property line, as applicable, and one (1) or more of**
 37 **the following:**
- 38 **(1) The chute.**
 39 **(2) The polls.**
 40 **(3) Any area where voters congregate or are likely to**
 41 **congregate for any purpose related to voting or the casting of**
 42 **ballots.**



- 1 **(4) Any room where ballots are being counted.**
 2 **(d) A person who violates subsection (b) or (c) commits a Class**
 3 **C misdemeanor. However, the offense is a:**
 4 **(1) Class A misdemeanor if the person has a prior unrelated**
 5 **conviction under this section; or**
 6 **(2) Level 6 felony if the firearm is pointed at another person.**
 7 **(e) It is not a defense to a prosecution under this section that the**
 8 **firearm was:**
 9 **(1) concealed;**
 10 **(2) holstered;**
 11 **(3) unloaded;**
 12 **(4) not immediately accessible;**
 13 **(5) disabled;**
 14 **(6) in a partial or complete state of disassembly; or**
 15 **(7) otherwise inoperable;**
 16 **at the time the firearm was carried.**
 17 **(f) It is a defense to a prosecution under this section that the**
 18 **requirements specified in subsections (g) and (h) were not met at**
 19 **the time the firearm was possessed.**
 20 **(g) An election officer shall conspicuously display a firearm**
 21 **prohibition notice in, on, or at each of the following locations, as**
 22 **applicable:**
 23 **(1) The chute.**
 24 **(2) The polls.**
 25 **(3) Any area where voters congregate or are likely to**
 26 **congregate for any purpose related to voting or the casting of**
 27 **ballots.**
 28 **(4) Any room where ballots are being counted.**
 29 **(5) Along any fifty (50) foot perimeter described in subsection**
 30 **(b) at practicable intervals.**
 31 **A firearm prohibition notice described in this subsection must**
 32 **comply with the requirements specified in subsection (h).**
 33 **(h) A firearm prohibition notice must do the following:**
 34 **(1) Clearly state that the carrying of firearms is prohibited:**
 35 **(A) within fifty (50) feet of:**
 36 **(i) the chute;**
 37 **(ii) the polls;**
 38 **(iii) any area where voters congregate or are likely to**
 39 **congregate for any purpose related to voting or the**
 40 **casting of ballots; or**
 41 **(iv) any room where ballots are being counted; and**
 42 **(B) anywhere in or on the premises of the polling place if**



- 1 the conditions specified in subsection (c) are met.
- 2 **(2) Specify that the carrying of a firearm in violation of**
- 3 **subsection (b) or (c) is an arrestable offense.**
- 4 **(3) Specify all possible:**
- 5 **(A) criminal penalties; and**
- 6 **(B) fines;**
- 7 **for a violation of a firearm prohibition described in subsection**
- 8 **(b) or (c).**
- 9 **(i) Nothing in this chapter shall be construed to alter, limit,**
- 10 **relax, or supersede a more restrictive firearm prohibition policy or**
- 11 **rule enacted by a person with executive authority over a polling**
- 12 **place.**
- 13 SECTION 5. IC 35-31.5-2-139.4 IS ADDED TO THE INDIANA
- 14 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 15 [EFFECTIVE JULY 1, 2024]: **Sec. 139.4. "Frame", for purposes of**
- 16 **IC 35-47-1-6.7 and IC 35-47-1-12.5, has the meaning set forth in**
- 17 **IC 35-47-1-5.3.**
- 18 SECTION 6. IC 35-31.5-2-246.5 IS ADDED TO THE INDIANA
- 19 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 20 [EFFECTIVE JULY 1, 2024]: **Sec. 246.5. "Privately made firearm",**
- 21 **for purposes of IC 35-47, has the meaning set forth in**
- 22 **IC 35-47-1-6.7.**
- 23 SECTION 7. IC 35-31.5-2-267.9 IS ADDED TO THE INDIANA
- 24 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 25 [EFFECTIVE JULY 1, 2024]: **Sec. 267.9. "Receiver", for purposes**
- 26 **of IC 35-47-1-6.7 and IC 35-47-1-12.5, has the meaning set forth in**
- 27 **IC 35-47-1-8.5.**
- 28 SECTION 8. IC 35-31.5-2-345.5 IS ADDED TO THE INDIANA
- 29 CODE AS A NEW SECTION TO READ AS FOLLOWS
- 30 [EFFECTIVE JULY 1, 2024]: **Sec. 345.5. "Variant", for purposes of**
- 31 **IC 35-47-1-5.3 and IC 35-47-1-8.5, has the meaning set forth in**
- 32 **IC 35-47-1-12.5.**
- 33 SECTION 9. IC 35-47-1-5.3 IS ADDED TO THE INDIANA CODE
- 34 AS A NEW SECTION TO READ AS FOLLOWS [EFFECTIVE JULY
- 35 1, 2024]: **Sec. 5.3. For purposes of section 6.7 of this chapter,**
- 36 **"frame" means the part of a handgun or variant of a handgun that**
- 37 **provides housing or a structure for the primary energized**
- 38 **component designed to hold back the:**
- 39 **(1) hammer;**
- 40 **(2) striker;**
- 41 **(3) bolt; or**
- 42 **(4) component similar to the items listed in subdivisions (1)**



1 through (3);
 2 prior to initiation of the firing sequence, even if pins or other
 3 attachments are required to connect the component to the housing
 4 or structure.

5 SECTION 10. IC 35-47-1-6.7 IS ADDED TO THE INDIANA
 6 CODE AS A NEW SECTION TO READ AS FOLLOWS
 7 [EFFECTIVE JULY 1, 2024]: Sec. 6.7. (a) Except as provided in
 8 subsection (b), "privately made firearm" means a:

9 (1) firearm that is completed, assembled, or otherwise
 10 produced:

11 (A) by a person that does not possess a valid federal
 12 firearms license issued under 18 U.S.C. 923; or

13 (B) without a serial number placed:

14 (i) by a person that possesses a valid federal firearms
 15 license issued under 18 U.S.C. 923; and

16 (ii) at the time the firearm was completed, assembled, or
 17 otherwise produced; or

18 (2) frame or receiver:

19 (A) that either:

20 (i) has been assembled or otherwise produced by a
 21 person that does not possess a valid federal firearms
 22 license issued under 18 U.S.C. 923; or

23 (ii) may be easily converted into a firearm by a person
 24 that does not possess a valid federal firearms license
 25 issued under 18 U.S.C. 923; or

26 (B) without a serial number placed:

27 (i) by a person that possesses a valid federal firearms
 28 license issued under 18 U.S.C. 923; and

29 (ii) at the time the firearm was completed, assembled, or
 30 otherwise produced.

31 (b) The term does not include a firearm that:

32 (1) is identified and registered in the National Firearms
 33 Registration and Transfer Record under 26 U.S.C. 53; or

34 (2) was manufactured or made before October 22, 1968,
 35 unless the firearm was remanufactured after that date.

36 SECTION 11. IC 35-47-1-8.5 IS ADDED TO THE INDIANA
 37 CODE AS A NEW SECTION TO READ AS FOLLOWS
 38 [EFFECTIVE JULY 1, 2024]: Sec. 8.5. For purposes of section 6.7 of
 39 this chapter, "receiver" means the part of a:

40 (1) rifle;

41 (2) shotgun;

42 (3) projectile weapon other than a handgun; or



1 **(4) variant of a weapon listed in subdivisions (1) through (3);**
 2 **that provides housing or a structure for the primary component**
 3 **designed to block or seal the breech prior to initiation of the firing**
 4 **sequence, even if pins or other attachments are required to connect**
 5 **the component to the housing or structure.**

6 SECTION 12. IC 35-47-1-12.5 IS ADDED TO THE INDIANA
 7 CODE AS A NEW SECTION TO READ AS FOLLOWS
 8 [EFFECTIVE JULY 1, 2024]: **Sec. 12.5. For purposes of sections 5.3**
 9 **and 8.5 of this chapter, "variant" means a weapon that uses a**
 10 **similar frame or receiver design irrespective of new or different:**

- 11 **(1) model designations or configurations;**
 12 **(2) characteristics;**
 13 **(3) features;**
 14 **(4) components;**
 15 **(5) accessories; or**
 16 **(6) attachments.**

17 SECTION 13. IC 35-47-2-1.5, AS ADDED BY P.L.175-2022,
 18 SECTION 9, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 19 JULY 1, 2024]: Sec. 1.5. (a) The following terms are defined for this
 20 section:

21 (1) "Adjudicated a mental defective" means a determination by a
 22 court that a person:

- 23 (A) presents a danger to the person or to others; or
 24 (B) lacks the mental capacity necessary to contract or manage
 25 the person's affairs.

26 The term includes a finding of insanity by a court in a criminal
 27 proceeding.

28 (2) "Alien" means any person who is not lawfully in the United
 29 States. The term includes:

- 30 (A) any person who has:
 31 (i) entered the United States without inspection and
 32 authorization by an immigration officer; and
 33 (ii) not been paroled into the United States under the federal
 34 Immigration and Nationality Act;
 35 (B) a nonimmigrant:
 36 (i) whose authorized period of stay has expired; or
 37 (ii) who has violated the terms of the nonimmigrant category
 38 under which the person was admitted;
 39 (C) a person paroled under the federal Immigration and
 40 Nationality Act whose period of parole has:
 41 (i) expired; or
 42 (ii) been terminated; and



- 1 (D) a person subject to an order:
 2 (i) of deportation, exclusion, or removal; or
 3 (ii) to depart the United States voluntarily;
 4 regardless of whether or not the person has left the United
 5 States.
- 6 (3) "Committed to a mental institution" means the formal
 7 commitment of a person to a mental institution by a court. The
 8 term includes:
 9 (A) a commitment for:
 10 (i) a cognitive or mental defect; or
 11 (ii) a mental illness; and
 12 (B) involuntary commitments.
- 13 The term does not include voluntary commitments or a
 14 commitment made for observational purposes.
- 15 (4) "Crime of domestic violence" has the meaning set forth in
 16 IC 35-31.5-2-78.
- 17 (5) "Dangerous" has the meaning set forth in IC 35-47-14-1.
- 18 (6) "Fugitive from justice" means any person who:
 19 (A) flees or leaves from any state to avoid prosecution for a
 20 felony or misdemeanor offense; or
 21 (B) flees or leaves any state to avoid testifying in a criminal
 22 proceeding.
- 23 (7) "Indictment" means any formal accusation of a crime made by
 24 a prosecuting attorney in any court for a crime punishable by a
 25 term of imprisonment exceeding one (1) year.
- 26 (8) A crime or offense "punishable by a term of imprisonment
 27 exceeding one (1) year" does not include a federal or state crime
 28 or offense pertaining to antitrust violations, unfair trade practices,
 29 restraints of trade, or other similar offenses relating to the
 30 regulation of business practices.
- 31 (b) Except as provided in subsections (c) and (d), the following
 32 persons may not knowingly or intentionally carry a handgun:
 33 (1) A person convicted of a federal or state offense punishable by
 34 a term of imprisonment exceeding one (1) year.
 35 (2) A fugitive from justice.
 36 (3) An alien.
 37 (4) A person convicted of:
 38 (A) a crime of domestic violence (IC 35-31.5-2-78);
 39 (B) domestic battery (IC 35-42-2-1.3); or
 40 (C) criminal stalking (IC 35-45-10-5).
 41 (5) A person restrained by an order of protection issued under
 42 IC 34-26-5.



- 1 (6) A person under indictment.
 2 (7) A person who has been:
 3 (A) adjudicated dangerous under IC 35-47-14-6;
 4 (B) adjudicated a mental defective; or
 5 (C) committed to a mental institution.
 6 (8) A person dishonorably discharged from:
 7 (A) military service; or
 8 (B) the National Guard.
 9 (9) A person who renounces the person's United States citizenship
 10 in the manner described in 8 U.S.C. 1481.
 11 (10) A person who is less than:
 12 (A) ~~eighteen (18)~~ **twenty-one (21)** years of age; or
 13 (B) twenty-three (23) years of age and has an adjudication as
 14 a delinquent child for an act described by IC 35-47-4-5;
 15 unless authorized under IC 35-47-10.
 16 (c) Subsection (b)(4)(A) and (b)(4)(B) does not apply to a person if
 17 a court has restored the person's right to possess a firearm under
 18 IC 35-47-4-7.
 19 (d) A person who has:
 20 (1) been adjudicated dangerous under IC 35-47-14-6; and
 21 (2) successfully petitioned for the return of a firearm under
 22 IC 35-47-14-8 with respect to the adjudication under subdivision
 23 (1);
 24 is not prohibited from carrying a handgun under subsection (b) on the
 25 basis that the person was adjudicated dangerous under subdivision (1).
 26 However, the person may still be prohibited from carrying a handgun
 27 on one (1) or more of the other grounds listed in subsection (b).
 28 (e) A person who violates this section commits unlawful carrying of
 29 a handgun, a Class A misdemeanor. However, the offense is a Level 5
 30 felony if:
 31 (1) the offense is committed:
 32 (A) on or in school property;
 33 (B) within five hundred (500) feet of school property; or
 34 (C) on a school bus; or
 35 (2) the person:
 36 (A) has a prior conviction of any offense under:
 37 (i) this section;
 38 (ii) section 1 of this chapter (carrying a handgun without a
 39 license) (before its repeal); or
 40 (iii) section 22 of this chapter; or
 41 (B) has been convicted of a felony within fifteen (15) years
 42 before the date of the offense.



1 SECTION 14. IC 35-47-2-3, AS AMENDED BY THE
 2 TECHNICAL CORRECTIONS BILL OF THE 2024 GENERAL
 3 ASSEMBLY, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 4 JULY 1, 2024]: Sec. 3. (a) A person who is at least ~~eighteen (18)~~
 5 **twenty-one (21)** years of age and is not otherwise prohibited from
 6 carrying or possessing a handgun under state or federal law is not
 7 required to obtain or possess a license or permit from the state to carry
 8 a handgun in Indiana. A ~~resident of this state~~ **person** who wishes to
 9 carry a firearm in another state under a reciprocity agreement entered
 10 into by this state and another state may obtain a license to carry a
 11 handgun in Indiana under this chapter by applying **as follows:**

12 (1) **If the applicant is a resident of this state:**

13 (A) to the chief of police or corresponding law enforcement
 14 officer of the municipality in which the applicant resides; **or**
 15 ~~(2)~~ (B) if that municipality has no such officer, or if the
 16 applicant does not reside in a municipality, to the sheriff of the
 17 county in which the applicant resides after the applicant has
 18 obtained an application form prescribed by the superintendent.
 19 **or**

20 ~~(3)~~ (2) If the applicant is a resident of another state and has a
 21 regular place of business or employment in Indiana, to the sheriff
 22 of the county in which the applicant has a regular place of
 23 business or employment.

24 The superintendent and local law enforcement agencies shall allow an
 25 applicant desiring to obtain or renew a license to carry a handgun to
 26 submit an application electronically under this chapter if funds are
 27 available to establish and maintain an electronic application system.

28 (b) This subsection applies before July 1, 2020. The law
 29 enforcement agency which accepts an application for a handgun license
 30 shall collect the following application fees:

31 (1) From a person applying for a four (4) year handgun license, a
 32 ten dollar (\$10) application fee, five dollars (\$5) of which shall be
 33 refunded if the license is not issued.

34 (2) From a person applying for a lifetime handgun license who
 35 does not currently possess a valid Indiana handgun license, a fifty
 36 dollar (\$50) application fee, thirty dollars (\$30) of which shall be
 37 refunded if the license is not issued.

38 (3) From a person applying for a lifetime handgun license who
 39 currently possesses a valid Indiana handgun license, a forty dollar
 40 (\$40) application fee, thirty dollars (\$30) of which shall be
 41 refunded if the license is not issued.

42 Except as provided in subsection (j), the fee shall be deposited into the



1 law enforcement agency's firearms training fund or other appropriate
 2 training activities fund and used by the agency to train law enforcement
 3 officers in the proper use of firearms or in other law enforcement
 4 duties, or to purchase firearms, firearm related equipment, or body
 5 armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers
 6 employed by the law enforcement agency. The state board of accounts
 7 shall establish rules for the proper accounting and expenditure of funds
 8 collected under this subsection.

9 (c) This subsection applies after June 30, 2020, and before July 1,
 10 2021. The law enforcement agency which accepts an application for a
 11 handgun license shall not collect a fee from a person applying for a five
 12 (5) year handgun license and shall collect the following application
 13 fees:

14 (1) From a person applying for a lifetime handgun license who
 15 does not currently possess a valid Indiana handgun license, a fifty
 16 dollar (\$50) application fee, thirty dollars (\$30) of which shall be
 17 refunded if the license is not issued.

18 (2) From a person applying for a lifetime handgun license who
 19 currently possesses a valid Indiana handgun license, a forty dollar
 20 (\$40) application fee, thirty dollars (\$30) of which shall be
 21 refunded if the license is not issued.

22 Except as provided in subsection (j), the fee shall be deposited into the
 23 law enforcement agency's firearms training fund or other appropriate
 24 training activities fund and used by the agency to train law enforcement
 25 officers in the proper use of firearms or in other law enforcement
 26 duties, or to purchase firearms, firearm related equipment, or body
 27 armor (as defined in IC 35-47-5-13(a)) for the law enforcement officers
 28 employed by the law enforcement agency. The state board of accounts
 29 shall establish rules for the proper accounting and expenditure of funds
 30 collected under this subsection.

31 (d) This subsection applies after June 30, 2021. The law
 32 enforcement agency which accepts an application for a handgun license
 33 shall not collect a fee from a person applying for a handgun license.

34 (e) The officer to whom the application is made shall ascertain the
 35 applicant's name, full address, length of residence in the community,
 36 whether the applicant's residence is located within the limits of any city
 37 or town, the applicant's occupation, place of business or employment,
 38 criminal record, if any, and convictions (minor traffic offenses
 39 excepted), age, race, sex, nationality, date of birth, citizenship, height,
 40 weight, build, color of hair, color of eyes, scars and marks, whether the
 41 applicant has previously held an Indiana license to carry a handgun
 42 and, if so, the serial number of the license and year issued, whether the



1 applicant's license has ever been suspended or revoked, and if so, the
 2 year and reason for the suspension or revocation, and the applicant's
 3 reason for desiring a license. If the applicant is not a United States
 4 citizen, the officer to whom the application is made shall ascertain the
 5 applicant's country of citizenship, place of birth, and any alien or
 6 admission number issued by the United States Citizenship and
 7 Immigration Services or United States Customs and Border Protection
 8 or any successor agency as applicable. The officer to whom the
 9 application is made shall conduct an investigation into the applicant's
 10 official records and verify thereby the applicant's character and
 11 reputation, and shall in addition verify for accuracy the information
 12 contained in the application, and shall forward this information
 13 together with the officer's recommendation for approval or disapproval
 14 and one (1) set of legible and classifiable fingerprints of the applicant
 15 to the superintendent. An investigation conducted under this section
 16 must include the consulting of available local, state, and federal
 17 criminal history data banks, including the National Instant Criminal
 18 Background Check System (NICS), to determine whether possession
 19 of a firearm by an applicant would be a violation of state or federal law.

20 (f) The superintendent may make whatever further investigation the
 21 superintendent deems necessary. Whenever disapproval is
 22 recommended, the officer to whom the application is made shall
 23 provide the superintendent and the applicant with the officer's complete
 24 and specific reasons, in writing, for the recommendation of
 25 disapproval.

26 (g) If it appears to the superintendent that the applicant:

- 27 (1) has a proper reason for receiving a license to carry a handgun;
- 28 (2) is of good character and reputation;
- 29 (3) is a proper person to be licensed; and
- 30 (4) is:
 - 31 (A) a citizen of the United States; or
 - 32 (B) not a citizen of the United States but is allowed to carry a
 33 firearm in the United States under federal law;

34 the superintendent shall issue to the applicant a license to carry a
 35 handgun in Indiana. The original license shall be delivered to the
 36 licensee. A copy shall be delivered to the officer to whom the
 37 application for license was made. A copy shall be retained by the
 38 superintendent for at least five (5) years in the case of a five (5) year
 39 license. The superintendent may adopt guidelines to establish a records
 40 retention policy for a lifetime license. A five (5) year license shall be
 41 valid for a period of five (5) years from the date of issue. A lifetime
 42 license is valid for the life of the individual receiving the license. The



1 license of police officers, sheriffs or their deputies, and law
 2 enforcement officers of the United States government who have twenty
 3 (20) or more years of service shall be valid for the life of these
 4 individuals. However, a lifetime license is automatically revoked if the
 5 license holder does not remain a proper person.

6 (h) At the time a license is issued and delivered to a licensee under
 7 subsection (g), the superintendent shall include with the license
 8 information concerning firearms safety rules that:

9 (1) neither opposes nor supports an individual's right to bear
 10 arms; and

11 (2) is:

12 (A) recommended by a nonprofit educational organization that
 13 is dedicated to providing education on safe handling and use
 14 of firearms;

15 (B) prepared by the state police department; and

16 (C) approved by the superintendent.

17 The superintendent may not deny a license under this section because
 18 the information required under this subsection is unavailable at the
 19 time the superintendent would otherwise issue a license. The state
 20 police department may accept private donations or grants to defray the
 21 cost of printing and mailing the information required under this
 22 subsection.

23 (i) A license to carry a handgun shall not be issued to any person
 24 who:

25 (1) has been convicted of a felony;

26 (2) has had a license to carry a handgun suspended, unless the
 27 person's license has been reinstated;

28 (3) is under ~~eighteen (18)~~ **twenty-one (21)** years of age;

29 (4) is under twenty-three (23) years of age if the person has been
 30 adjudicated a delinquent child for an act that would be a felony if
 31 committed by an adult;

32 (5) has been arrested for a Class A or Class B felony for an
 33 offense committed before July 1, 2014, for a Level 1, Level 2,
 34 Level 3, or Level 4 felony for an offense committed after June 30,
 35 2014, or any other felony that was committed while armed with
 36 a deadly weapon or that involved the use of violence, if a court
 37 has found probable cause to believe that the person committed the
 38 offense charged;

39 (6) is prohibited by federal law from possessing or receiving
 40 firearms under 18 U.S.C. 922(g); or

41 (7) is described in ~~IC 35-47-2-1.5~~, **section 1.5 of this chapter**,
 42 unless exempted by ~~IC 35-47-2-1.5~~, **section 1.5 of this chapter**.



1 In the case of an arrest under subdivision (5), a license to carry a
 2 handgun may be issued to a person who has been acquitted of the
 3 specific offense charged or if the charges for the specific offense are
 4 dismissed. The superintendent shall prescribe all forms to be used in
 5 connection with the administration of this chapter.

6 (j) If the law enforcement agency that charges a fee under
 7 subsection (b) or (c) is a city or town law enforcement agency, the fee
 8 shall be deposited in the law enforcement continuing education fund
 9 established under IC 5-2-8-2.

10 (k) If a person who holds a valid license to carry a handgun issued
 11 under this chapter:

12 (1) changes the person's name;

13 (2) changes the person's address; or

14 (3) experiences a change, including an arrest or a conviction, that
 15 may affect the person's status as a proper person (as defined in
 16 IC 35-47-1-7) or otherwise disqualify the person from holding a
 17 license;

18 the person shall, not later than thirty (30) days after the date of a
 19 change described under subdivision (3), and not later than sixty (60)
 20 days after the date of the change described under subdivision (1) or (2),
 21 notify the superintendent, in writing, of the event described under
 22 subdivision (3) or, in the case of a change under subdivision (1) or (2),
 23 the person's new name or new address.

24 (l) The state police shall indicate on the form for a license to carry
 25 a handgun the notification requirements of subsection (k).

26 (m) The state police department shall adopt rules under IC 4-22-2
 27 to implement an electronic application system under subsection (a).
 28 Rules adopted under this section must require the superintendent to
 29 keep on file one (1) set of classifiable and legible fingerprints from
 30 every person who has received a license to carry a handgun so that a
 31 person who applies to renew a license will not be required to submit an
 32 additional set of fingerprints.

33 (n) Except as provided in subsection (o), for purposes of
 34 IC 5-14-3-4(a)(1), the following information is confidential, may not
 35 be published, and is not open to public inspection:

36 (1) Information submitted by a person under this section to:

37 (A) obtain; or

38 (B) renew;

39 a license to carry a handgun.

40 (2) Information obtained by a federal, state, or local government
 41 entity in the course of an investigation concerning a person who
 42 applies to:



- 1 (A) obtain; or
 2 (B) renew;
 3 a license to carry a handgun issued under this chapter.
 4 (3) The name, address, and any other information that may be
 5 used to identify a person who holds a license to carry a handgun
 6 issued under this chapter.
 7 (o) Notwithstanding subsection (n):
 8 (1) any information concerning an applicant for or a person who
 9 holds a license to carry a handgun issued under this chapter may
 10 be released to a:
 11 (A) state or local government entity:
 12 (i) for law enforcement purposes; or
 13 (ii) to determine the validity of a license to carry a handgun;
 14 or
 15 (B) federal government entity for the purpose of a single entry
 16 query of an applicant or license holder who is:
 17 (i) a subject of interest in an active criminal investigation; or
 18 (ii) arrested for a crime; and
 19 (2) general information concerning the issuance of licenses to
 20 carry handguns in Indiana may be released to a person conducting
 21 journalistic or academic research, but only if all personal
 22 information that could disclose the identity of any person who
 23 holds a license to carry a handgun issued under this chapter has
 24 been removed from the general information.
 25 (p) A person who holds a valid license to carry a handgun under this
 26 chapter is licensed to carry a handgun in Indiana.
 27 (q) A person who knowingly or intentionally violates this section
 28 commits a Class B misdemeanor.
 29 SECTION 15. IC 35-47-2-18, AS AMENDED BY P.L.142-2020,
 30 SECTION 73, IS AMENDED TO READ AS FOLLOWS [EFFECTIVE
 31 JULY 1, 2024]: Sec. 18. (a) ~~No person shall:~~ **A person may not:**
 32 (1) remove, obliterate, or alter:
 33 (A) the importer or manufacturer's serial number on any
 34 firearm; ~~or~~
 35 **(B) the name of the manufacturer, model number, or**
 36 **manufacturer's number; or**
 37 **(C) any other mark of identification on a firearm;**
 38 (2) possess any firearm on which:
 39 (A) the importer or manufacturer's serial number;
 40 **(B) the name of the manufacturer, model number, or**
 41 **manufacturer's number; or**
 42 **(C) any other mark of identification on a firearm;**



1 has been removed, obliterated, or altered; **or**
2 **(3) possess a privately made firearm.**
3 (b) A person who knowingly or intentionally violates this section
4 commits a Level 5 felony.
5 SECTION 16. IC 35-52-3-47.5 IS ADDED TO THE INDIANA
6 CODE AS A NEW SECTION TO READ AS FOLLOWS
7 [EFFECTIVE JULY 1, 2024]: **Sec. 47.5. IC 3-14-3-4.5 defines a**
8 **crime concerning firearms and voting.**

